

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERVET INC., and)	
BTG INTERNATIONAL LIMITED,)	
)	
Plaintiffs,)	
v.)	C.A. No.: 05-887-KAJ
)	
MERIAL LIMITED,)	
)	
Defendant.)	

**STIPULATION AND ORDER OF STAY OF ACTION
UNTIL FINAL DECISION IN REEXAMINATION**

WHEREAS on April 5, 2006 the United States Patent & Trademark Office ordered a Reexamination of United States Patent No. 5,587,166 (“the ’166 patent”), the patent-in-suit; and

WHEREAS on June 2, 2006 Defendant Merial Limited filed a Motion To Stay The Litigation Pending Reexamination with a supporting Opening Brief and [Proposed] Order, requesting that this action be stayed until there is a final determination in the Reexamination of the ’166 patent; and

WHEREAS on June 30, 2006 Plaintiffs Intervet, Inc. and BTG International filed a Response to Merial Limited’s Motion To Stay The Litigation Pending Reexamination, wherein Plaintiffs stated that they “do not oppose Merial’s motion”;

NOW THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto, through their counsel, subject to the approval of the Court, that:

1. Effective immediately, this action is stayed until there is a final decision in the Reexamination of the ’166 patent, or until such time as the Court lifts the stay of its own volition or pursuant to a motion by any party.

2. The parties will provide the Court with a report on the status of the Reexamination six months from the date of this Stipulation and Order, and at six month intervals thereafter until there is a final decision in the Reexamination, at which time the parties shall

notify the Court of the Reexamination decision and provide a report on the final decision in the Reexamination.

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IT IS SO ORDERED this _____ day of **July, 2006**.

HONORABLE KENT A. JORDAN
UNITED STATES DISTRICT JUDGE